

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

JANICE MOLETTE, ET AL

CIVIL ACTION NO. CV04-0501-A

-vs-

JUDGE DRELL

THE CITY OF ALEXANDRIA, ET AL

MAGISTRATE JUDGE KIRK

J U D G M E N T

For the reasons given in the Ruling accompanying this Judgment,

IT IS ORDERED, ADJUDGED, and DECREED that Defendants City of Alexandria, Sergeant Bruce Fairbanks, Chief of Police Tommy Cicardo, and Officer Chris Wolf's Motion to Dismiss is hereby DENIED as to the following claims:

- (1) Ms. Molette's claim to recover under Louisiana Civil Code articles 2315.1 and 2315.2;
- (2) Plaintiffs' unreasonable search and seizure claims under the Fourth Amendment and the Louisiana constitution; and
- (3) Plaintiffs' state law claims for negligence, assault and battery, and excessive force.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that Defendants' Motion to Dismiss is hereby GRANTED as to the following claims:

- (1) Mr. Williams' claim to recover under Louisiana Civil Code articles 2315.1 and/or 2315.2;
- (2) Plaintiffs' claim for deprivation of life, liberty, or property without due process of law under the Fourteenth Amendment;
- (3) Plaintiffs' § 1983 claims against the City of Alexandria;
- (4) Plaintiffs' claims for deprivation of the right of familial association in violation of the Fourteenth Amendment;
- (5) Plaintiffs' claims under §§ 1981, 1985; and
- (6) Plaintiffs' state law claim for false imprisonment.

The claims as to which Defendants' Motion to Dismiss is granted are DISMISSED
WITH PREJUDICE.

SIGNED on this 30th day of September, 2005, at Alexandria, Louisiana.

A handwritten signature in black ink, appearing to read 'Dee D. Drell', is written over a horizontal line.

Dee D. Drell
United States District Judge